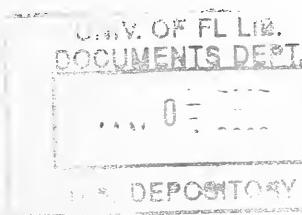


NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO  
CODE OF FAIR COMPETITION  
FOR THE  
PYROTECHNIC  
MANUFACTURING INDUSTRY

AS APPROVED ON APRIL 10, 1935



UNITED STATES  
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Approved Code No. 148—Amendment No. 2

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

PYROTECHNIC MANUFACTURING INDUSTRY

As Approved on April 10, 1935

ORDER

APPROVING AMENDMENT OF CODE OF FAIR COMPETITION FOR THE  
PYROTECHNIC MANUFACTURING INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of an amendment to a Code of Fair Competition for the Pyrotechnic Manufacturing Industry, and Notice of Opportunity to be Heard having been duly published thereon and the annexed report on said amendment, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, the National Industrial Recovery Board, pursuant to authority vested in it by Executive orders of the President, including Executive Order No. 6859, dated September 27, 1934, and otherwise: does hereby incorporate, by reference, said annexed report and does find that said amendment and the Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said title of said act, and does hereby order that said amendment be and it is hereby approved, and that the previous approval of said Code is hereby amended to include an approval of said Code in its entirety as amended; provided, however, that said amendment shall be effective only in the event that the Code of Fair Competition for the Pyrotechnic Manufacturing Industry, as now defined, shall be in full force and effect on July 6, 1935.

NATIONAL INDUSTRIAL RECOVERY BOARD.  
By W. A. HARRIMAN, *Administrative Officer.*

Approval recommended:

JOSEPH F. BATTLEY,  
*Division Administrator.*

WASHINGTON, D. C.,  
April 10, 1935.

## REPORT TO THE PRESIDENT

The PRESIDENT,  
*The White House.*

SIR: This is a report on an Amendment to the Code of Fair Competition for the Pyrotechnic Manufacturing Industry, which Code was approved on December 7, 1933.

This Amendment provides for discontinuance of the manufacture and sale of certain fireworks which are considered more dangerous than others. It is the belief of the Industry that through this action added safety will be accorded the children of the Nation.

A Notice of Opportunity to be Heard upon the said Amendment was published January 12, 1935, and expired February 2, 1935, in accordance with the provisions of the National Industrial Recovery Act. No serious objections or criticisms have been received.

### FINDINGS

The Deputy Administrator in his final report on said Amendment found as herein set forth, and on the basis of all the proceedings in this matter;

The Board finds that:

(a) The Amendment to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provisions of said title of said act, including without limitation subsection (a) of Section 3, subsection (a) of Section 7 and subsection (b) of Section 10 thereof.

(c) The Code empowers the Code Authority Board to present the aforesaid Amendment on behalf of the Industry as a whole.

(d) The Amendment and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(e) The Amendment and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said Amendment.

Therefore, said Amendment has been approved.

For the National Industrial Recovery Board:

W. A. HARRIMAN,  
*Administrative Officer.*

APRIL 10, 1935.

## **AMENDMENT TO CODE OF FAIR COMPETITION FOR THE PYROTECHNIC MANUFACTURING INDUSTRY**

Amend article VII, section 2, paragraph f, by the addition of the following to be designated as subsections 1, 2, 3 and 4:

1. Fireworks items of the Commercial Fireworks Division which depend for their effect on the producing of noise and in which an explosion is produced by ignition or detonation shall be limited to an average of 45 grains explosive composition; and no composition or mixture in which an explosion is produced or assisted by aluminum, magnesium or antimony sulphide shall be used in the above manner, except in the manufacture of paper caps and toy torpedoes; provided, however, that the Planning and Fair Practice Agency of the Commercial Fireworks Division may from time to time propose amendments to the above list of ingredients as the necessity may arise to carry out the purposes of this Code, which amendments, when approved by N. R. A. shall be binding on all members of this industry.

2. No salutes, firecrackers or any items of similar character that are intended to be exploded on the ground for their primary effect, by ignition, by fuse or other priming device, shall be made of a length greater than four inches and/or outside diameter greater than  $\frac{5}{8}$  inch.

3. The Planning and Fair Practice Agency of the Commercial Fireworks Division of the Pyrotechnic Industry is hereby empowered to formulate and recommend such rules and regulations regarding the manufacture and specifications of items of commercial fireworks as may be necessary for the protection and safety of the users or for other reasons, which rules and regulations, when approved by N. R. A., shall be binding on all members of this Industry.

4. These subsections shall become effective July 6, 1935.

Approved Code No. 148—Amendment No. 2.  
Registry No. 611-02.

(4)



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